

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SHAWN A. WILLIAMS (213113)
AELISH M. BAIG (201279)
SUZANNE H. KAPLAN (247067)
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)
shawnw@csgrr.com
abaig@csgrr.com
shkaplan@csgrr.com

– and –

TRAVIS E. DOWNS III (148274)
KATHLEEN A. HERKENHOFF (168562)
BENNY C. GOODMAN III (211302)
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619-231-1058
619/231-7423 (fax)
travisd@csgrr.com
kathyh@csgrr.com
bennyg@csgrr.com

THE WEISER LAW FIRM, P.C.
ROBERT B. WEISER
BRETT D. STECKER
121 N. Wayne Avenue, Suite 100
Wayne, PA 19087
Telephone: 610/225-2677
610/225-2678 (fax)
rw@weiserlawfirm.com
bs@weiserlawfirm.com

Co-Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re ASYST TECHNOLOGIES, INC.
DERIVATIVE LITIGATION

No. C-06-04669-EDL

This Document Relates To:

ALL ACTIONS.

SECOND STIPULATION AND
[PROPOSED] ORDER EXTENDING DATE
TO FILE SECOND AMENDED
COMPLAINT AND SETTING BRIEFING
SCHEDULE FOR MOTIONS TO DISMISS

1 This Stipulation is entered into by and among plaintiff Andrew Allison (“plaintiff”), nominal
2 defendant Asyst Technologies, Inc. (“Asyst”) and individual defendants Stephen S. Schwartz,
3 Anthony C. Bonora, Stanley J. Grubel, Tsuyoshi Kawanishi, Anthony E. Santelli, Walter W. Wilson,
4 Mihir Parikh and Ashok K. Sinha (collectively, “defendants”), through their attorneys of record.

5 WHEREAS, plaintiff is currently required to submit a second amended complaint not later
6 than January 9, 2009;

7 WHEREAS, plaintiff has requested an extension of time to submit a second amended
8 complaint; and

9 WHEREAS, defendants do not oppose the requested extension.

10 THEREFORE, the undersigned parties stipulate as follows:

- 11 1. Plaintiff shall file his second amended complaint not later than February 23, 2009;
12 2. Any motions to dismiss by Asyst or defendants shall be filed and served not later than
13 March 25, 2009;
14 3. Plaintiff’s opposition to any such motions shall be filed and served not later than
15 April 17, 2009; and
16 4. Any reply briefs by Asyst or defendants shall be filed and served not later than May
17 8, 2009.

18 IT IS SO STIPULATED.

19 DATED: January 6, 2009

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
TRAVIS E. DOWNS III
KATHLEEN A. HERKENHOFF
BENNY C. GOODMAN III

23 s/ KATHLEEN A. HERKENHOFF
KATHLEEN A. HERKENHOFF

24 655 West Broadway, Suite 1900
25 San Diego, CA 92101
26 Telephone: 619/231-1058
27 619/231-7423 (fax)
28

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COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
SHAWN A. WILLIAMS
AELISH M. BAIG
SUZANNE H. KAPLAN
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

THE WEISER LAW FIRM, P.C.
ROBERT B. WEISER
BRETT D. STECKER
121 N. Wayne Avenue, Suite 100
Wayne, PA 19087
Telephone: 610/225-2677
610/225-2678 (fax)

Co-Lead Counsel for Plaintiffs

ROBBINS UMEDA LLP
MARC M. UMEDA
BRIAN J. ROBBINS
ASHLEY R. PALMER
610 West Ash Street, Suite 1800
San Diego, CA 92101
Telephone: 619/525-3990
619/525-3991 (fax)

Additional Counsel for Plaintiff

I, Kathleen A. Herkenhoff, am the ECF User whose ID and password are being used to file this Second Stipulation and [Proposed] Order Extending Date to File Second Amended Complaint and Setting Briefing Schedule for Motions to Dismiss. In compliance with General Order 45, X.B., I hereby attest that Dylan J. Liddiard has concurred in this filing.

DATED: January 6, 2009

WILSON SONSINI GOODRICH &
ROSATI, P.C.
DYLAN J. LIDDIARD

s/ DYLAN J. LIDDIARD
DYLAN J. LIDDIARD

650 Page Mill Road
Palo Alto, CA 94304-1050
Telephone: 650/493-9300
650/493-6811 (fax)

Attorneys for Defendants

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

The hearing on any motion to dismiss will be on May 26, 2009 at 9:00 a.m.

DATED: January 7, 2009

THE HONORABLE ELIZABETH D. LAPORTE
UNITED STATES DISTRICT JUDGE



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CERTIFICATE OF SERVICE

I hereby certify that on January 6, 2009, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 6, 2009.

s/ KATHLEEN A. HERKENHOFF
KATHLEEN A. HERKENHOFF

COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)

E-mail:kathyh@csgrr.com

Mailing Information for a Case 3:06-cv-04669-EDL

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Douglas John Clark**
dclark@wsgr.com
- **Leo Patrick Cunningham**
lcunningham@wsgr.com
- **Travis E. Downs , III**
travisd@csgrr.com,e_file_sd@csgrr.com
- **Benny Copeline Goodman , III**
bennyg@csgrr.com,e_file_sd@csgrr.com
- **Kathleen Ann Herkenhoff**
kathyh@csgrr.com,e_file_sd@csgrr.com
- **Christopher R. Howald**
chowald@wsgr.com
- **Suzanne Heald Kaplan**
shkaplan@csgrr.com
- **Dylan James Liddiard**
dliddiard@wsgr.com,pmarquez@wsgr.com
- **Maria V. Morris**
mmorris@rbg-law.com
- **Marc M. Umeda**
notice@ruflaw.com,umeda@ruflaw.com
- **Shawn A. Williams**
shawnw@csgrr.com,travisd@csgrr.com,e_file_sf@csgrr.com,cwood@csgrr.com,e_file_sd@csgrr.com,aelishb@csgrr.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

Darren Jay Robbins

Coughlin Stoia Geller Rudman & Robbins LLP
655 West Broadway
Suite 1900
San Diego, CA 92101

Monique C. Winkler

Coughlin Stoia Geller Rudman & Robbins LLP
100 Pine Street, Suite 2600
San Francisco, CA 94111